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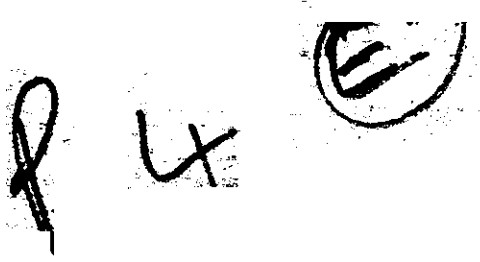
File No. O.L.O. Rs/50

Legal Department

A **BRANCH**

Subject:—

Opinions under the Law Office Rules



File No. O-L-O Rs/50

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C O N T E N T S

Legal Department File No. O. L.C.R.s./50

r. No.	R.I./ O.Mp.	Subject	Pages
	O.L.C.R.s./1950	Opinions under the Law Officers Rules ---	
	1260 / 28-1-50	Legal Department cannot act as standing legal advisers to the Local bodies. Only in matters relating to interpretation of Statutes/ relating to Local bodies and in litigation in which Government is not interested	
2.	4621 / 10-4-50	M/S Little & Co. appointed as Crown Pleaders for purpose of recovering processes against Govt. issued by the High Court, Bombay	
3.	5621 / 25-4-50	D.G.P.s. not to hold any briefs against Govt. or give advice to private parties in cases., in which they are likely to be called upon to advise Govt. or any Govt. Officer.	

Mjr/10/6
5 Cs.

30/6

Draft Rep.

Office of the R.L.A.

There appears no special reason to relax rule 21 of the Rules for the Conduct of Legal Affairs. If the Municipalities and local Boards are given the concession of obtaining R.L.A's opinion free of charge, there would be a flood of unnecessary and unimportant references involving waste of Legal Department's time. The Legal Department cannot act as standing legal advisers to the local bodies, without being flooded with references which they cannot cope with. Only in matters relating to interpretationof Statutes relating to local bodies and in litigationin which the Government is not interested or likely to be interested should the local bodies be permitted to seek legal advice from the R.L.A., as at present. It would neither be feasible nor desirable to modify the existing rule 21.

Sd/- P.M.Lad

o.c.

Remembrancer ofLegal Affairs.

28/4-

U.R. to H & L.G.D., No. 1280, dated the January 1950

Mjr/16/6

4 Cs.

CIRCULAR NO 4842

Office of the

Remembrancer of Legal Affairs,

Bombay Castle, 10th April 1950.

Under rule 25A of the Law Officers Rules inserted by Governments Notification, Legal Department No. 2367, dated the 17th March 1941 the Soliticors to Government (Messrs, Little and Company) have been appointed as Crown Pleaders for the purposes of receiving processes against Government issued by the High Court of Bombay.

All Departments of the Secretariat (Except the Separate Department) are, therefore; requested to uhvite the attention of all heads of offices in Greater Bombay under their respective control to the said provisions and to instruct them to follow the rule strictly and notto accept any processes in matter to which the State of Bombay is a party but to direct them to the Government Solicitors (Messrs. Little and Company).

Sd/- P.M.Lad

Remembrancer of Legal Affairs.

To

All Departments of the Secretariat

(Except the Separate Department).

Messrs, Little and Co., Solicitors to Government,

Bombay.

Mjr/16/6

4 Cs.

GOVERNMENT OF BOMBAY

Office of the Remembrancer of Legal Affairs.

Circular No, 5621

Bombay Castle, 25th April 1950.

Attention of all the District Government Pleaders and Public Prosecutors is invited to Rule 5 of the Law Officers (Conditions of Service) Rules whereunder they are required not to hold any briefs against Government or advise, appear or act in any case against Government or give advice to Private parties in cases in which they are likely to be called upon to advise Government or any Government Officer. Recently there have been cases in which certain lawyers have, on their appointment as District Government Pleaders and Public Prosecutors, approached Government for permissions to conduct cases against Government on behalf of private parties who may have briefed them before their appointment as Government law officers. The uniform practice followed by Government Law Officers in the High Court is to return on their appointment all such briefs in which they were engaged against Government prior to their appointment. Government desires that the practice should be followed in the mofussil and that Law Officers should return such briefs and should not also appear in such cases. Collectors are requested to make proposals in such cases for appearance on behalf of Government.

Sd/- (P.M.Lad)

Remembrancer of Legal Affairs.

To.

All Collectors

All District (Government Pleaders and Public Prosecutors,

The Government Pleader, High Court, Bombay,

The Government Pleader, City Civil Court, Bombay.

Mjr/18/6